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SEP 29 2005

# Fax

Page 1 of 12

Date: 29-Sep-05

**To:** Christy L. Novacek      **Fax:** 571-273-8300      **Phone:** 571-272-1839  
United States Patent and Trademark Office

**From:** Michael D. Plimier      **Fax:** 408-765-7723      **Phone:** 408-765-7857

**Subject:** Amendment and Response for Application Serial No. 10/771,267

**A CONFIRMATION COPY OF THIS DOCUMENT:**

**WILL NOT BE SENT**

Application No.: 10/771,267  
Filing Date: February 2, 2004  
First Named Inventor: Justin K. Brask et al.  
Group Art Unite: 2822  
Examiner Name: Novacek, Christy L.  
Attorney Docket No.: P15744C

**Enclosures:**

1. Transmittal form (1 page)
2. Fee Transmittal for FY 2005 (1 page in duplicate)
3. Amendment and Response (8 page)

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PTO/SB/21 (09-04)

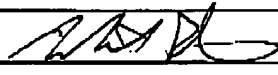
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/771,267
	Filing Date	February 2, 2004
	First Named Inventor	Justin K. Brask et al.
	Art Unit	2822
	Examiner Name	Novacek, Christy L.
	Attorney Docket Number	P15744C
Total Number of Pages in This Submission		11

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Intel Corporation		
Signature			
Printed name	Michael D. Plimier		
Date	September 29, 2005	Reg. No.	43,004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Michael D. Plimier	Date	September 29, 2005

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PTO/SB/17 (12-04v2)

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Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete If Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/771,267
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Filing Date	February 2, 2004
		First Named Inventor	Justin K. Braak et al.
		Examiner Name	Novacek, Christy L.
		Art Unit	2822
		Attorney Docket No.	P15744C

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-0224 Deposit Account Name: Intel Corporation

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☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** Extra Claims Fee (\$)  
 - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** Extra Claims Fee (\$)  
 - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of independent claims paid for, if greater than 3.

**Multiple Dependent Claims** Fee (\$)  
 Fee Paid (\$)

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

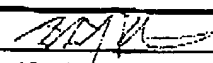
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) Fees Paid (\$)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	43,004	Telephone	408-765-7857
Name (Print/Type)	Michael D. Plimier			Date	September 29, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL

### For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **0.00**

#### Complete if Known

Application Number **10/771,267**  
 Filing Date **February 2, 2004**  
 First Named Inventor **Justin K. Brask et al.**  
 Examiner Name **Novacek, Christy L.**  
 Art Unit **2822**  
 Attorney Docket No. **P15744C**

#### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **50-0221** Deposit Account Name: **Intel Corporation**

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☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

#### FEE CALCULATION

##### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

##### 2. EXCESS CLAIM FEES

###### Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = **0**

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = **0**

HP = highest number of independent claims paid for, if greater than 3.

##### 3. APPLICATION SIZE FEE

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**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = **0**

##### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)      **Fees Paid (\$)**  
 \_\_\_\_\_ **0**  
 Other (e.g., late filing surcharge): \_\_\_\_\_ **0**

#### SUBMITTED BY

Signature 	Registration No. (Attorney/Agent) <b>43,004</b>	Telephone <b>408-765-7857</b>
Name (Print/Type) <b>Michael D. Plimier</b>	Date <b>September 29, 2005</b>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 29 2005

Attorney's Docket No.: P15744C

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Justin K. Brask et al.

U.S. Serial No: 10/771,267

Filed: February 2, 2004

For: **A METHOD FOR MAKING A  
SEMICONDUCTOR DEVICE  
HAVING A HIGH-K GATE  
DIELECTRIC**

Examiner: Novacek, Christy L.

Art Unit: 2822

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT AND RESPONSE

Dear Sir:

This is in response to the Office Action mailed July 1, 2005. Applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks.

**Amendment to the Specification** is reflected in the listing of Specification amendments that begins on page 2 of this paper. **Amendments to the Claims** are reflected in the listing of claims that begins on page 3 of this paper. **Remarks/Arguments** begin on page 6 of this paper.